IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

Bail Appl..No. 6384 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.5902/2007
CMP.2319/2007 of J.M.F.C., RAMANKARI
[CRIME NO.100/2006 OF RAMANKARI POLICE STATION]

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: PETITIONER/ACCUSED

VIMAL KUMAR @ VIMAL, S/O.MOHANAN,
AGED 24 YEARS, VETTATHUPARAMBIL VEEDU,
PUTHUKKARY MURI, WARD NO.VI, RAMANKARY
PANCHAYATH.

BY ADV. SRI.ARUN.B.VARGHESE

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. CIRCLE INSPECTOR OF POLICE,
PULINKUNNU POLICE STATION.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.6384 of 2007

Dated this the 22nd day of October 2007

O R D E R

Second application for regular bail. The petitioner faces allegations inter alia under Sections 452 and 376 I.P.C. The incident took place on 14/8/2006. The petitioner, a young man, aged about 23 years, is alleged to have committed rape on an elderly woman aged 45 years consequent to certain disputes regarding return of money owed to him by the woman. The petitioner was arrested on 14/9/2007. He continues in custody from that date. I have already adverted to facts in detail in the order dated 01/10/2007 in B.A.No.5902/2007. I am not hence adverting facts in any greater detail. This order is to be read in continuation of the said order.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that appropriate safeguards may be insisted and I am satisfied that the petitioner who has remained in custody from 14/9/2007 can now be enlarged on bail subject to appropriate

conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of two months.

iii) Except for the purpose of complying with condition No.ii) above if necessary, the petitioner shall not enter the jurisdiction of Ramankari police station during the said period of two months.

Hand over copy of this order to the learned counsel for the petitioner.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007